

IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF KANSAS

CHERYL ABMEYER,)
)
Plaintiff,)
)
v.)
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)

Case No. 10-1356-WEB

MEMORANDUM AND ORDER

Plaintiff filed a motion to proceed in forma pauperis (Doc. 4) in her Social Security Appeal. 28 U.S.C. § 1915 provides that the court “may authorize commencement .. of any suit, action or proceeding, civil or criminal, or appeal therein, without prepayment of fees... by a person who submits an affidavit ... that the person is unable to pay such fees or give security therefor.” To succeed on a motion to proceed IFP, the movant must show a financial inability to pay the required filing fees. Lister v. Dept. of the Treasury, 408 F.3d 1309, 1312 (10th Cir. 2005).

Plaintiff submitted a financial affidavit. Information provided in the affidavit shows the plaintiff’s monthly expenses exceeds her monthly income. Plaintiff does not have discretionary income or extra income to pay the filing fee.

IT IS ORDERED that plaintiff’s motion to proceed in forma pauperis (Doc. 4) is granted.

IT IS SO ORDERED this 9th day of March, 2011.

s/ Wesley E. Brown
Wesley E. Brown

U.S. Senior District Judge